

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Dusch, *et al.*

Appl. No.: 09/456,306

Filed: December 8, 1999

For: **Novel Nucleotide Sequences  
Coding for the poxB Gene**



Group Art Unit: 1652

Examiner: D. Steadman

Atty. Dkt. 21123/265182

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**Amendment and Response Under 37 C.F.R. §1.111**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action dated August 28, 2001, Applicants respectfully request reconsideration of the above-captioned application in view of the following amendments and remarks.

**Amendments**

**In the Claims:**

~~Please cancel claim 34 without prejudice.~~

Please amend claims 35, 40 and 41 to read as follows:

c1 35. (Amended) An isolated polynucleotide consisting of a nucleotide sequence encoding a polypeptide with an amino acid sequence consisting essentially of the sequence of SEQ ID NO:2.

40. (Amended) A coryneform bacterium transformed with the vector of claim 38.

c2 41. (Amended) A second isolated polynucleotide having a nucleotide sequence completely complementary to the isolated polynucleotide of any one of claims 35-37.